



RE: Decorative bark from OU-5

DC Orr

to:

Carol Campbell, Sean Earle, Rebecca Thomas, Sonya Pennock, Victor Ketellapper, Iscusa, clecours

03/08/2011 10:01 AM

Show Details

1258931 - R8 SDMS

Ms. Campbell;

I see that the Groups have received a response to their questions. You have included me in that response. I hope you don't think the response to the Groups answers the questions I have asked in this email stream. I am seeing a pattern and practice whereby EPA includes me in responses to the Groups and ignores my most serious questions in the confusion of mixing responses. I suspect it is a tactic of deception. Please respond to the questions of this elected official in separate and specific manner.

You have answered some of my questions in your response to the Groups.

When I asked if EPA had tracked the dispersal of contaminated bark from OU-5 you have responded to the Groups that "EPA does not know where the bark from OU-5 went".

When I asked if moving this bark spread contamination, your response to the Groups states that "EPA does not know...".

EPA does not know what is happening on an Operable Unit in this Superfund Site. EPA does not know a lot of things. Maybe the easier question is, can you tell me what EPA does know about the bark at OU-5?

EPA has not answered my questions contained in this email stream.

How much material was contained in those bark piles on OU-5?

What was EPA's responsibility for managing that material once testing confirmed fibers of LA in material found on an Operable Unit of the Libby Asbestos Superfund Site?

What liability is associated with using this material all over town?

What does EPA know about the bark at OU-5 other than that qualitative testing determined Libby Amphibole existed in about 25% of the limited sampling that has been done?

These questions raise a few more questions. Will EPA track the bark that was removed from Operable Unit 5 after EPA determined that it contained LA fibers and report to this community the final disposition of a quarter million cubic yards of this material? Will EPA better characterize this material anytime in the future?

Please respond in this email thread so my concerns do not get lost and confused with other concerns. As always, question marks denote the questions I would like to have answered.

Sincerely, DC Orr

From: xcav8orr@hotmail.com

To: campbell.carol@epamail.epa.gov; earle.sean@epamail.epa.gov; thomas.rebecca@epamail.epa.gov; pennock.sonya@epamail.epa.gov; ketellapper.victor@epa.gov; lscusa@mt.gov; clecours@mt.gov

Subject: RE: Decorative bark from OU-5  
 Date: Thu, 3 Mar 2011 21:05:36 -0700

Ms. Campbell;

Tell me which question has been answered.

When was I told if EPA tracked where this sawdust material went?

I never saw a response to the question of whether hauling this stuff spread LA contamination.

> How much material was contained in those piles at OU-1? I have estimated it at over 350,000 cubic yards before it was hauled away. Where did it go?

> What was EPA's responsibility once those piles were tested and found to be contaminated with LA on an Operable Unit of this Superfund Site?

> What is the City's liability for using this material in the cemetery, around newly planted trees all over town (Especially at the schools), and as ground cover over acres of the Golf Course Project?

> You say these questions have been answered, show me the response.

> Sonya has a bad habit of avoiding the questions in her response and then saying it has been answered. She also has waited for months and then responded, (not answered), to a host of different issues in an effort to confuse the matter. Rebecca has stated, in writing, that she will not respond to my concerns. Mike Cirian has always responded, but rarely factually. Why can't I just ask a question and get an answer from EPA?

> I am copying you in the emails so you can see how non-responsive your subordinates are to our questions. Since Sonya and Rebecca have failed to answer these questions, I will pass them on to you. You have the responsibility to see to it that they do their jobs. You can pass them to whomever you choose but I will hold you accountable for the answers.

> When can I expect a response?

> Sincerely, DC Orr

> Subject: RE: Decorative bark from OU-5

> To: xcav8orr@hotmail.com

> From: Campbell.Carol@epamail.epa.gov

> Date: Thu, 3 Mar 2011 16:49:54 -0700

>

> Sonya receives all of your requests for information. We talk about  
 > them internally, and then put together a response as appropriate. Some  
 > of your questions have been answered many times.

>

> Carol L. Campbell, Assistant Regional Administrator  
 > Office of Ecosystem Protection and Remediation  
 > United States Environmental Protection Agency, Region 8  
 > 1595 Wynkoop Street  
 > Denver, Colorado  
 > 80202

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> 303-312-6340 (W)

> 303-312-6071(fax)

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 >  
 > From: DC Orr <xcav8orr@hotmail.com>  
 > To: Rebecca Thomas/R8/USEPA/US@EPA, Carol  
 > Campbell/R8/USEPA/US@EPA, Sean Earle/R4/USEPA/US@EPA  
 > Date: 03/03/2011 05:11 AM  
 > Subject: RE: Decorative bark from OU-5

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 >  
 > Could you at least acknowledge receipt of the questions after two weeks?  
 > DC

> From: xcav8orr@hotmail.com  
 > To: thomas.rebecca@epamail.epa.gov; campbell.carol@epamail.epa.gov;  
 > earle.sean@epamail.epa.gov  
 > Subject: FW: Decorative bark from OU-5  
 > Date: Wed, 2 Mar 2011 06:33:02 -0700

>  
 > Ms. Thomas and Ms. Campbell;  
 >  
 > EPA is creating conditions that are slowing work on OU-1. When EPA  
 > refuses to answer questions we cannot move ahead. EPA is attempting to  
 > force the City to make uninformed decisions.  
 > I have asked about the bark. The City has used this bark for a  
 > multitude of ground cover projects, huge projects covering the entire  
 > city.  
 > When can I expect an answer to these questions?  
 > DC Orr

>  
 >  
 > From: xcav8orr@hotmail.com  
 > To: thomas.rebecca@epamail.epa.gov  
 > Subject: RE: Decorative bark from OU-5  
 > Date: Fri, 25 Feb 2011 14:25:49 -0700

> Ms. Thomas;  
 >  
 > You have sent me the response to the Goups twice. The homeowner  
 > groups had different questions which I was not privy to. You can see my  
 > questions below are not answered in the response given to the Groups. I  
 > have different interests, thus different questions.  
 > When can I expect a response to my questions? (Look for the question  
 > marks)  
 > DC Orr

>  
 >  
 > From: xcav8orr@hotmail.com  
 > To: thomas.rebecca@epamail.epa.gov  
 > Subject: RE: Decorative bark from OU-5  
 > Date: Fri, 25 Feb 2011 14:10:30 -0700

> Ms. Thomas;  
 >  
 > The homeowners group has received a reply to their questions about  
 > the sawdust piles. When can I expect my questions to be answered?

> DC Orr

> From: xcav8orr@hotmail.com

> To: thomas.rebecca@epamail.epa.gov

> Subject: Decorative bark from OU-5

> Date: Thu, 17 Feb 2011 17:00:21 -0700

> Ms. Thomas;

> There has been much "chatter" about the piles of bark at OU-5.

> I have been told this bark was uncontaminated. I see some test

> results come through today that show low levels of LA determined through

> qualitative testing. EPA obviously questioned the possibility of fibers

> contained in bark and sampled these piles. The testing shows fibers in

> the piles. This raises some important questions.

> Has EPA tracked where those piles went? Does the movement of those

> piles spread contamination? How much material was contained in those

> piles? Did EPA have authority or responsibility, once they determined

> levels of contamination with Libby Amphibole, to require those piles be

> handled as contaminated material?

> Sincerely, DC Orr

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